

Dmitri Iglitzin, WSBA No. 17673
Darin M. Dalmat, WSBA No. 51384
Gabe Frumkin, WSBA No. 56984
BARNARD IGLITZIN & LAVITT LLP
18 W Mercer St, Suite 400
Seattle, WA 98119
(206) 257-6003
iglitzin@workerlaw.com
dalmat@workerlaw.com
frumkin@workerlaw.com

Aaron Streepy, WSBA 38149
Jim McGuinness, WSBA 23494
STREOPY LEMONIDIS CONSULTING & LAW GROUP, PLLC
2800 First Avenue, Suite 211
Seattle, WA 98121
Telephone: (253) 528-0278
Fax: (253) 528-0276
aaron@slglc.com
jim@mcguinnessstreepy.com

Attorneys for Plaintiff Faye Guenther

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

FAYE IRENE GUENTHER, an
individual,

Plaintiff,

v.

JOSEPH H. EMMONS, individually,
and OSPREY FIELD CONSULTING
LLC, a limited liability company,

Defendants.

No. 2:22-cv-00272-TOR

**DECLARATION OF COUNSEL
DARIN M. DALMAT IN
SUPPORT OF PLAINTIFF'S
MOTION TO AMEND
COMPLAINT**

DECLARATION OF DALMAT ISO MOTION
TO AMEND COMPLAINT
Case No. 2:22-cv-00272-TOR

18 WEST MERCER ST., STE. 400 **BARNARD**
SEATTLE, WASHINGTON 98119 **IGLITZIN &**
TEL 800.238.4231 | FAX 206.378.4132 **LAVITT LLP**

1 I, Darin M. Dalmat, hereby declare and state as follows:

2
3 1. I am one of the attorneys representing Plaintiff Faye Irene Guenther.

4 2. After entering my appearance in this case on July 17, 2024, ECF No.
5 90, I have reviewed the docket and material exchanged in discovery in this case.

6 3. Based on that review, I understand that discovery in this case ended by
7 June 26, 2024.

8 4. I also understand that Defendants, though their counsel, took the
9 deposition of Plaintiff Faye Guenther on May 13, 2024, for over seven hours and
10 again on June 6, 2024, for another approximately three hours.

11 5. During those depositions, Ms. Guenther affirmed her prior statement,
12 categorically denying that she had been aware of sexual harassment claims against
13 Mr. Angel Gonzalez, during the relevant time period in 2022, or had any influence
14 of any sort over the internal selection process used to select Mr. Mike Hines as his
15 replacement. I attach as **Exhibit 1** a true and correct copy of page 88 of her May 13,
16 2024, deposition transcript, which sets forth that testimony.

17 6. In her June 6, 2024, deposition, defense counsel asked Ms. Guenther
18 about certain text messages Angel Gonzalez exchanged in late July 2021, shortly
19 before August 4, 2021—the date documents in this case show to be Mr. Gonzalez’s
20 resignation. Defense counsel appeared to be exploring a theory that Mr. Gonzalez

1 was exchanging text messages with Ms. Guenther in late July 2021 regarding the
2 anticipation of the end of his employment with Local 367. Ms. Guenther then
3 explained, in her deposition, that the text messages were to Mike Hines, not to her,
4 as evidenced by the fact that they were not to her phone number. The Defendants'
5 attorney confirmed this by emphasizing the Bates stamp of the relevant exhibit,
6 which showed that the text messages were produced by Mr. Hines, not Ms.
7 Guenther. I attach as **Exhibit 2** a true and correct copy of pages 71–72 of the
8 transcript of Ms. Guenther's June 6, 2024, deposition transcript. And I attach as
9 **Exhibit 3** a true and correct copy of the relevant excerpts of Exhibit 43 to her
10 deposition, showing the relevant text messages.

11
12 DATED this 30th day of August, 2024.

13 *s/Darin M. Dalmat*

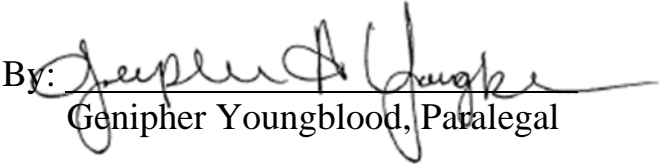
14 Darin M. Dalmat, WSBA No. 51384
15 18 W Mercer St, Suite 400
16 Seattle, WA 98119
17 (206) 257-6028
18 dalmat@workerlaw.com
19
20

DECLARATION OF SERVICE

I hereby certify that on the date noted below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system.

PARTY/COUNSEL	DELIVERY INSTRUCTIONS
Ambika Kumar Sara A. Fairchild Davis Wright Tremaine LLP 920 Fifth Ave., Ste. 3300 Seattle, WA 98104 ambikakumar@dwt.com sarafairchild@dwt.com	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Service
John A. DiLorenzo Davis Wright Tremaine LLP 560 SW 10th Ave., Ste. 700 Portland, OR 97205 johndilorenzo@dwt.com	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Service

DATED this 30th day of August, 2024 at Federal Way, Washington.

By: 
Genipher Youngblood, Paralegal

DECLARATION OF SERVICE
Case No. 2:22-cv-00272-TOR

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SEATTLE, WASHINGTON 98119 **IGLITZIN &**
TEL 800.238.4231 | FAX 206.378.4132 **LAVITT LLP**

GUENTHER V. EMMONS, ET AL

USDC E. DIST. OF WASHINGTON
CASE NO. 2:22-CV-00272-TOR

DECLARATION OF DARIN DALMAT IN SUPPORT
OF MOTION TO AMEND COMPLAINT

EXHIBIT 1

2	4
1 APPEARANCES	1 EXAMINATION INDEX
2	2 Page
3 Appearing on behalf of the Plaintiff:	3
4 JAMES G. MCGUINNESS, ESQUIRE	4 EXAMINATION BY MR. DILORENZO 9
5 AARON M. STREEPY, ESQUIRE	5
6 Streepy Law Offices	6
7 4218 227th Avenue, Court E	7
8 Buckley, Washington 98321	8
9 (253) 528-0278	9
10 (253) 528-0276 (Fax)	10
11 jim@mcguinnessstreepy.com	11
12 aaron@mcguinnessstreepy.com	12
13	13
14 Appearing on behalf of the Defendants:	14
15 JOHN A. DILORENZO, ESQUIRE	15
16 Davis Wright Tremaine, LLP	16
17 560 SW Tenth Avenue, Suite 700	17
18 Portland, Oregon 97205	18
19 (503) 778-2300	19
20 (503) 778-5299 (Fax)	20
21 johndilorenzo@dwt.com	21
22	22
23	23
24 -and-	24
25	25
3	5
1 APPEARANCES (CONTINUED)	1 EXHIBITS INDEX
2	2 Exhibit Page
3 SARA A. FAIRCHILD, ESQUIRE	3
4 Davis Wright Tremaine, LLP	4 1 NOTICE OF DEPOSITION NA
5 920 Fifth Avenue, Suite 3300	5
6 Seattle, Washington 98104	6 2 PLAINTIFFS RESPONSE 112
7 (206) 622-3150	7
8 sarafairchild@dwt.com	8 3 MEMO VIA EMAIL STREEPY LAW 88
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<p style="text-align: right;">86</p> <p>1 A. I think it was — I wanted to get through a couple</p> <p>2 of rotations of bargaining the contracts with him, so</p> <p>3 probably five to seven years.</p> <p>4 Q. Five to seven years.</p> <p>5 A. Yeah.</p> <p>6 Q. And we'll talk about his salary and all that, but</p> <p>7 was he to become an officer of the new —</p> <p>8 A. No.</p> <p>9 Q. He's an officer today.</p> <p>10 A. No, he's not.</p> <p>11 Q. He's not?</p> <p>12 A. No. He's not an officer.</p> <p>13 Q. What's his title?</p> <p>14 A. Vice president of such and such.</p> <p>15 Q. Oh, isn't a vice president an officer?</p> <p>16 A. No. Absolutely not. The only vice presidents we</p> <p>17 have are the elected vice presidents of our local.</p> <p>18 Q. Well, then, how is he a vice president?</p> <p>19 A. It's a title. There's a couple of people who have</p> <p>20 that title.</p> <p>21 Q. Oh, really? Does he sign documents as vice</p> <p>22 president?</p> <p>23 MR. MCGUINNESS: Objection as to form.</p> <p>24 BY MR. DILORENZO:</p> <p>25 Q. Do you know whether he signs documents?</p>	<p style="text-align: right;">88</p> <p>1 MR. DILORENZO: Perfect.</p> <p>2 THE REPORTER: — and then hand it to her. That</p> <p>3 way I can just keep —</p> <p>4 THE DEPONENT: Perfect.</p> <p>5 THE REPORTER: — have a stack on my end. Thank</p> <p>6 you so much.</p> <p>7 BY MR. DILORENZO:</p> <p>8 Q. Is Exhibit 3 familiar to you?</p> <p>9 A. Let me read it.</p> <p>10 Q. Yeah. Have you seen that before?</p> <p>11 A. I'm sure it's in my e-mail.</p> <p>12 Q. Okay. Did you authorize this letter being sent to</p> <p>13 me and my co-counsel?</p> <p>14 A. Yes.</p> <p>15 Q. In the second paragraph, your lawyers say, "Our</p> <p>16 client" — that's you — "were unaware of sexual harassment</p> <p>17 claims against Mr. Angel Gonzalez and had no influence of</p> <p>18 any sort over the internal selection process utilized to</p> <p>19 select Mr. Hines as his replacement." Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. There is no mention about Mr. Renner. Were you</p> <p>22 aware that there were sexual harassment charges against Mr.</p> <p>23 Renner?</p> <p>24 A. Absolutely not.</p> <p>25 Q. Ever.</p>
<p style="text-align: right;">87</p> <p>1 A. What documents would he sign?</p> <p>2 Q. Any kind of documents as vice president.</p> <p>3 A. I — I think the main documents that people sign</p> <p>4 are contracts, which as soon as I take the contract, I sign</p> <p>5 the contracts. Maybe you have something with his signature</p> <p>6 on it, but I don't know what he'd be signing.</p> <p>7 Q. Why does your local have employees who are — who</p> <p>8 have the titles vice president when they're not officers?</p> <p>9 A. Is every vice — I mean, is every vice president</p> <p>10 of every organization an officer? I don't know. Sometimes</p> <p>11 titles are important when you're working with other people.</p> <p>12 Q. Why was the title important to Mr. Renner?</p> <p>13 A. You'd have to ask him. I don't know.</p> <p>14 Q. Did he — was he referred to as a vice president</p> <p>15 right after the merger was approved? In other words, has he</p> <p>16 had any other title besides vice president?</p> <p>17 A. I don't think so.</p> <p>18 Q. Okay. All right. We'll talk more about that</p> <p>19 later. In your complaint, you are seeking compensatory</p> <p>20 damages. Do you recall that?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Let's look at number three. I've skipped</p> <p>23 two for now, but.</p> <p>24 THE REPORTER: If it works for you moving forward,</p> <p>25 if you could hand it to me and I'll stick it and then --</p>	<p style="text-align: right;">89</p> <p>1 A. After —</p> <p>2 MR. MCGUINNESS: Just —</p> <p>3 THE DEPONENT: I'm sorry.</p> <p>4 MR. MCGUINNESS: Hang on. Let me just get the</p> <p>5 objection as to form in terms of when the question pertains</p> <p>6 to.</p> <p>7 BY MR. DILORENZO:</p> <p>8 Q. Okay. Are you aware there were sexual harassment</p> <p>9 charges against Mr. Renner?</p> <p>10 A. As of right now?</p> <p>11 Q. Yes, as —</p> <p>12 A. Yes.</p> <p>13 Q. — we sit here today.</p> <p>14 A. I don't think — so there — it says charges or</p> <p>15 sued. There's words being used.</p> <p>16 Q. Right.</p> <p>17 A. There were accusations against —</p> <p>18 Q. Of sexual harassment.</p> <p>19 A. Of sexual harassment, yes.</p> <p>20 Q. Okay. When did you first become aware of that?</p> <p>21 A. It was after December 2nd, but I am trying to</p> <p>22 recall exactly when after that.</p> <p>23 Q. Well, you —</p> <p>24 A. And I — and I think —</p> <p>25 Q. Okay.</p>

<p style="text-align: right;">250</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 I the undersigned, Valerie Barna, am a videographer</p> <p>4 on behalf of NAEGELI Deposition & Trial. I do</p> <p>5 hereby certify that I have accurately made the video</p> <p>6 recording of the deposition of Faye Guenther, in the above</p> <p>7 captioned matter on the 13th day of May, 2024, taken</p> <p>8 at the location of Davis Wright Tremaine LLP, 920 5th</p> <p>9 Avenue, Suite 3300, Seattle, Washington 98104.</p> <p>10</p> <p>11 No alterations, additions or deletions were made</p> <p>12 thereto.</p> <p>13</p> <p>14 I further certify that I am not related to any of the</p> <p>15 parties in the action and have no financial interest in the</p> <p>16 outcome of this matter.</p> <p>17</p> <p>18</p> <p>19 Valerie Barna</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">252</p> <p>1 CORRECTION SHEET</p> <p>2 Deposition of: Faye Guenther Date: 05/13/24</p> <p>3 Regarding: Guenther vs. Emmons</p> <p>4 Reporter: Hall/Garotic/Hobart</p> <p>5 _____</p> <p>6 Please make all corrections, changes or clarifications</p> <p>7 to your testimony on this sheet, showing page and line</p> <p>8 number. If there are no changes, write "none" across</p> <p>9 the page. Sign this sheet on the line provided.</p> <p>10 Page Line Reason for Change</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Signature _____</p> <p>25 Faye Guenther</p>
<p style="text-align: right;">251</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 I, Kacey Hall, do hereby certify that I reported all</p> <p>4 proceedings adduced in the foregoing matter and that the</p> <p>5 foregoing transcript pages constitutes a full, true,</p> <p>6 and accurate record of said proceedings to the best of</p> <p>7 my ability.</p> <p>8</p> <p>9 I further certify that I am neither related to</p> <p>10 counsel or any part to the proceedings nor have any</p> <p>11 interest in the outcome of the proceedings.</p> <p>12</p> <p>13 IN WITNESS HEREOF, I have hereunto set my hand this</p> <p>14 17th day of May, 2024.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 /S/ Kacey Hall</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">253</p> <p>1 DECLARATION</p> <p>2 Deposition of: Faye Guenther Date: 05/13/24</p> <p>3 Regarding: Guenther vs. Emmons</p> <p>4 Reporter: Hall/Garotic/Hobart</p> <p>5 _____</p> <p>6</p> <p>7 I declare under penalty of perjury the following to</p> <p>8 be true:</p> <p>9</p> <p>10 I have read my deposition and the same is true and</p> <p>11 accurate save and except for any corrections as made</p> <p>12 by me on the Correction Page herein.</p> <p>13</p> <p>14 Signed at _____,</p> <p>15 on the _____ day of _____, 2024.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 Signature _____</p> <p>25 Faye Guenther</p>

GUENTHER V. EMMONS, ET AL

USDC E. DIST. OF WASHINGTON
CASE NO. 2:22-CV-00272-TOR

DECLARATION OF DARIN DALMAT IN SUPPORT
OF MOTION TO AMEND COMPLAINT

EXHIBIT 2

<p style="text-align: right;">2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 For the Plaintiff:</p> <p>4 James G. McGuinness, Esquire</p> <p>5 UFCW 367</p> <p>6 6403 Lakewood Drive West</p> <p>7 Tacoma, Washington 98467</p> <p>8 (253) 589-0367</p> <p>9 (253) 589-1512 (Fax)</p> <p>10 jmcguinness@ufcw367.org</p> <p>11 -and-</p> <p>12 Aaron M. Streepy, Esquire</p> <p>13 STREEPY LAW, PLLC</p> <p>14 4218 227th Avenue Court East</p> <p>15 Buckley, Washington 98321</p> <p>16 (253) 528-0278</p> <p>17 (253) 528-0276 (Fax)</p> <p>18 aaron@mcguinnessstreepy.com</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">4</p> <p>1 EXAMINATION INDEX</p> <p>2 Page</p> <p>3</p> <p>4 EXAMINATION BY MR. DILORENZO 10</p> <p>5</p> <p>6 EXAMINATION BY MR. MCGUINNESS 97</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">3</p> <p>1 APPEARANCES CONTINUED</p> <p>2</p> <p>3 For the Defendants:</p> <p>4 John A. DiLorenzo (pro hac vice)</p> <p>5 Sara Fairchild, Esquire</p> <p>6 DAVID WRIGHT TREMAINE, LLP</p> <p>7 920 5th Avenue, Suite 3300</p> <p>8 Seattle, Washington 98104</p> <p>9 (530) 241-2300</p> <p>10 (503) 778-5299 (Fax)</p> <p>11 Johndilorenzo@dwt.com</p> <p>12 sarafairchild@dwt.com</p> <p>13</p> <p>14 Also Present:</p> <p>15 Valerie Barna, Naegeli Videographer</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">5</p> <p>1 EXHIBITS</p> <p>2 EXHIBITS FOR IDENTIFICATION:</p> <p>3 Number Description Marked/ID'd</p> <p>4</p> <p>5 13 Text messages 5:16 ER (Eric), 06 11</p> <p>6 Fri, Sep 8.</p> <p>7</p> <p>8 14 Text messages 5:16 ER (Eric), 06 12</p> <p>9 undated.</p> <p>10</p> <p>11 15 Text messages 5:16 ER (Eric), 06 23</p> <p>12 Fri, Sep 15.</p> <p>13</p> <p>14 17 Text messages 5:17 ER (Eric), 06 24</p> <p>15 Mon, Oct 16.</p> <p>16 19 Conversation with: Eric Renner 06 30</p> <p>17 (5099909637), various dates.</p> <p>18</p> <p>19 20 Email from Micheau, to Guenther 06 42</p> <p>20 and Milliron, 7-21-23, re. UFCW</p> <p>21 3000 Merger and Renner Employment</p> <p>22 Agreement.</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">70</p> <p>1 A. No.</p> <p>2 Q. -- that surrounded his resignation?</p> <p>3 A. No.</p> <p>4 Q. Did you believe at the time that they were due to</p> <p>5 ongoing health concerns?</p> <p>6 A. I didn't really care. I was just glad he was</p> <p>7 gone.</p> <p>8 Q. Okay. And then look at the last page, Faye</p> <p>9 Guenther, to Andrea Zinder, org, Grant, and a few others,</p> <p>10 regarding Angel Gonzalez' resignation.</p> <p>11 And you say, "FYI, I have known Mike Hines for</p> <p>12 most of my adult life. He has very good potential. I think</p> <p>13 things up here are a little messed up, but with time, I</p> <p>14 think this will be a positive development."</p> <p>15 Do you recall sending that?</p> <p>16 A. I don't recall sending it, but I can see I did.</p> <p>17 Q. Okay. Well, I thought you and Mike Hines had had</p> <p>18 a major argument.</p> <p>19 A. After Angel Gonzalez, Mike Hines looked like a</p> <p>20 step in the right direction. Anybody. Anybody. I would</p> <p>21 have taken anyone.</p> <p>22 Q. Okay. I'm going to dispense with 39 and ask you</p> <p>23 about 40. This was supplied to us, and I'm not quite sure</p> <p>24 who "me" is, and I'm wondering if that is familiar. It says</p> <p>25 here, "Here's an agreement I signed with Angel Gonzalez.</p>	<p style="text-align: right;">72</p> <p>1 Gonzalez and Faye?</p> <p>2 A. There's no way these are between me and Faye -- or</p> <p>3 me and Angel.</p> <p>4 Q. Well, take a look at the --</p> <p>5 A. It's to Mike Hines. These are not text messages</p> <p>6 between me and anybody.</p> <p>7 Q. Ah, okay. I see up above it says, though,</p> <p>8 "Angel."</p> <p>9 A. That's not my number. That's not any of my stuff.</p> <p>10 Q. Okay. It does appear that you're saying, "Hi</p> <p>11 Mike"?</p> <p>12 A. Why would -- Why would I be talking about my</p> <p>13 employment with the VA?</p> <p>14 Q. You don't know?</p> <p>15 A. I'm not old, and I'm not a veteran. Well, I'm</p> <p>16 older now, but --</p> <p>17 Q. Ah. So this may be between Mike Hines and --</p> <p>18 A. I have no idea what this is.</p> <p>19 MS. FAIRCHILD: Look at the Bates stamp.</p> <p>20 MR. DILORENZO: Ah. Okay.</p> <p>21 A. Was this after he resigned?</p> <p>22 Q. Not sure.</p> <p>23 A. Thursday, July 29, 2021?</p> <p>24 Q. Okay. On the second page --</p> <p>25 A. He resigned July 25. So these are text messages</p>
<p style="text-align: right;">71</p> <p>1 Angel told me Kate asked him to contact me to do this."</p> <p>2 A. Yes, I am familiar with this.</p> <p>3 Q. Who is "me"?</p> <p>4 A. Me.</p> <p>5 Q. Oh, that is --</p> <p>6 A. That is me.</p> <p>7 Q. -- you. Okay.</p> <p>8 So you signed an agreement with Angel Gonzalez?</p> <p>9 A. This was an -- This was a situation with the</p> <p>10 carpenters' union, where Angel and Kate Meckler decided to</p> <p>11 organize their staff, and it was causing -- yeah, it was</p> <p>12 just a very contentious situation. And I was advising him</p> <p>13 to not do this, that it was going to cause more problems</p> <p>14 than it was worth.</p> <p>15 Q. Okay.</p> <p>16 A. And this is -- yeah. So, yeah, the agreement was</p> <p>17 if he was -- the carpenters' union was in my jurisdiction.</p> <p>18 And so I was saying, If you want to organize these folks,</p> <p>19 I'll sign that over to you, but I think it's a bad idea, and</p> <p>20 I don't want to organize them.</p> <p>21 Q. Okay.</p> <p>22 A. But I don't know the date on this. October 14.</p> <p>23 Q. Okay. I'm going to dispense with 41. I'm going</p> <p>24 to dispense with 42. Let's look at 43.</p> <p>25 These appear to be text messages between Angel</p>	<p style="text-align: right;">73</p> <p>1 between Angel and Mike after he resigned.</p> <p>2 Q. Okay. Look at the next page, though. It says,</p> <p>3 "Faye" on the top. "Happy to hear this welcome news." "Hi,</p> <p>4 Mike, just trying to figure out post Sean is calling. I am</p> <p>5 on a Kaiser strike prep call for a while."</p> <p>6 Does this -- Do you recall what this is about? "We</p> <p>7 have figured it out, Faye. Thank you."</p> <p>8 A. I have no idea what this is about.</p> <p>9 August 4, 2021?</p> <p>10 Q. Yeah.</p> <p>11 A. I have no idea what this -- prep call for a while.</p> <p>12 We have it figured out. Faye.</p> <p>13 Where is the text messages before it?</p> <p>14 Q. I don't know.</p> <p>15 A. Okay. When was it? Is that from me or from --</p> <p>16 maybe it's -- yeah, I just -- I don't know. It looks like</p> <p>17 it's linked to --</p> <p>18 Maybe it's Angel and him running for office? I</p> <p>19 don't know.</p> <p>20 Q. Okay. That's fine. I just was curious about it.</p> <p>21 That's all I have about that one.</p> <p>22 THE VIDEOGRAPHER: We are at the two- hour mark on</p> <p>23 the record.</p> <p>24 MR. DILORENZO: Okay. Thank you.</p> <p>25 Q. Let's look at Number 44.</p>

<p style="text-align: right;">98</p> <p>1 of the local 367 merger document.</p> <p>2 Do you recall that?</p> <p>3 A. Yes.</p> <p>4 Q. Have you had a chance to reflect on whether it's</p> <p>5 possible that I was representing Local 21 at the time?</p> <p>6 A. Yes.</p> <p>7 Q. And what have you determined?</p> <p>8 A. You were representing Local 21 at the time.</p> <p>9 Q. Okay. In looking at Exhibit 59 – Do you still</p> <p>10 have that?</p> <p>11 A. Yes.</p> <p>12 Q. That appears to be dated July 29, 2023?</p> <p>13 A. Yes.</p> <p>14 Q. And if you don't recall this, please don't try to</p> <p>15 speculate, but do you recall whether that was actually</p> <p>16 before the depositions taken in this case that Mr. DiIorenzo</p> <p>17 asked you about, if you recall?</p> <p>18 A. I was trying to build a timeline in my mind, but I</p> <p>19 don't have it.</p> <p>20 MR. MCGUINNESS: That's fine. That's fine. I</p> <p>21 think that's all. Give me just a second.</p> <p>22 Okay. That is all I have. Thank you.</p> <p>23 MR. DILORENZO: Great. Thank you for your</p> <p>24 patience through all of this.</p> <p>25 THE VIDEOGRAPHER: Please stand by. This is the</p>	<p style="text-align: right;">100</p> <p>1 CERTIFICATE OF VIDEOGRAPHER</p> <p>2</p> <p>3 I the undersigned, Valerie Barna , am a videographer</p> <p>4 on behalf of NAEGELI Deposition & Trial. I do hereby</p> <p>5 certify that I have accurately made the video recording of</p> <p>6 the deposition of Faye I. Guenther, in the above captioned</p> <p>7 matter on the 6th day of June, 2024, taken at the location</p> <p>8 of 920 5th Avenue, Suite 3300, Seattle, WA 98104.</p> <p>9</p> <p>10 No alterations, additions or deletions were made</p> <p>11 thereto.</p> <p>12</p> <p>13 I further certify that I am not related to any of</p> <p>14 these parties in the matter and I have no financial</p> <p>15 interest in the outcome of this matter.</p> <p>16</p> <p>17</p> <p>18 Valerie Barna</p> <p>19 Videographer</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">99</p> <p>1 end of the deposition of Faye Guenther. The court reporter</p> <p>2 will now take orders for the transcript.</p> <p>3 MR. DILORENZO: I would like to order the</p> <p>4 transcript, please, and the exhibits, synced-up video, the</p> <p>5 whole works.</p> <p>6 MR. MCGUINNESS: Copy with exhibits.</p> <p>7 THE VIDEOGRAPHER: The time is 1:09. We are off</p> <p>8 the record.</p> <p>9 (Deposition concluded at 1:09 p.m.)</p> <p>10 (Signature was reserved.)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">101</p> <p>1 C E R T I F I C A T E</p> <p>2 STATE OF WASHINGTON)) ss.</p> <p>3 COUNTY OF KING)</p> <p>4 I, the undersigned Washington Certified Court Reporter,</p> <p>5 hereby certify that the foregoing deposition upon oral</p> <p>6 examination of the witness named herein was taken</p> <p>7 stenographically before me and transcribed under my</p> <p>8 direction;</p> <p>9 That pursuant to RCW 5.28.10, the witness, before</p> <p>10 examination, was first duly sworn by me to testify</p> <p>11 truthfully; that the transcript of the deposition is a full,</p> <p>12 true, and correct transcript, to the best of my ability;</p> <p>13 that I am neither attorney for nor a relative or employee of</p> <p>14 any of the parties to the action or any attorney or counsel</p> <p>15 employed by the parties hereto nor financially interested in</p> <p>16 its outcome.</p> <p>17 IN WITNESS WHEREOF, I have hereunto set my hand this 20th</p> <p>18 day of June 2024.</p> <p>19</p> <p>20 _____</p> <p>21 Patricia A. Blevins</p> <p>22 Certified Court Reporter No. 2484 in and for the State of</p> <p>23 Washington, residing at Seattle, Washington.</p> <p>24 My CCR certification expires 6/8/24.</p> <p>25</p>

GUENTHER V. EMMONS, ET AL

USDC E. DIST. OF WASHINGTON
CASE NO. 2:22-CV-00272-TOR

DECLARATION OF DARIN DALMAT IN SUPPORT
OF MOTION TO AMEND COMPLAINT

EXHIBIT 3

8:46 01

< Angel

(253) 312-7156

Thursday, July 29, 2021

A Hi Mike: Would it be possible to get a letter stating that my employment with Local 367 has ended and when my insurance coverage will end? I need it for Mildred to enroll for coverage at the VA. My email is 0.

Friday, July 30, 2021

A Did you call me?

I think I bumped my phone.

A Ok

Sunday, August 1, 2021

Hi Angel. Are you still available to grab lunch on Thursday and switch the election account over? I could nick von tin and dive

E5 tai +

E

EXHIBIT	43	DATE:	06/06/24
DEPONENT NAME:	Guenther, F.		

EXHIBIT
43